



**UTILITY PATENT APPLICATION TRANSMITTAL**  
(for Noncontinuing, Nonprovisional Applications  
under 37 C.F.R. § 1.53(b))

17302 U.S. PTO  
10/748885



Attorney Docket No. 79075

Customer No. 22242

Mail Stop PATENT APPLICATION  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith for filing under 37 C.F.R.  
§ 1.53(b) is the nonprovisional, noncontinuing  
patent application for:

Title: **System and Method of Actuating a  
Moveable Barrier Operator**

First Named Inventor  
or Application Identifier: **Wojciak Jr.**

) CERTIFICATE OF MAILING BY "EXPRESS MAIL"  
)

) "Express Mail" Mailing Label Number

) EL 961 662 988 US

) DEC 30 2003

) Date of Deposit \_\_\_\_\_

) I hereby certify that this paper or fee is being deposited  
) with sufficient postage utilizing the United States  
) Postal Service "Express Mail Post Office to Addressee"  
) Service under 37 CFR § 1.10 on the date indicated  
) above and is addressed to the Commissioner for  
) Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

) Steve LeRocco  
) (Typed or printed name of person mailing)

) Steve LeRocco  
) (Signature of person mailing)

- ☒ 18 pages of the specification (including claims) are enclosed.
- ☒ 8 sheet(s) of drawings are enclosed. ☐ Formal ☒ Informal
- ☐ An executed Oath or Declaration and Power of Attorney naming the actual inventors is enclosed.
- ☒ The names of persons believed to be the actual inventors are set forth in the enclosed unexecuted Oath or Declaration and Power of Attorney (§ 1.41(a) and § 1.53(b)).
- ☐ An Assignment of the invention to \_\_\_\_\_, and cover sheet are enclosed.
- ☐ A check in the amount of \$ \_\_\_\_\_ to cover the fee for recording the assignment is enclosed.
- ☐ The Recordation Form Cover Sheet includes authorization to charge our Deposit Account for recording the assignment.
- ☐ A 37 C.F.R. § 3.73(b) statement is enclosed where an assignee seeks to take action.
- ☐ An Information Disclosure Statement is enclosed.
- ☐ A Form PTO/SB/08 is enclosed.
- ☐ \_\_\_\_\_ References (copies) listed as foreign patent documents or non-patent literature on Form PTO/SB/08 (37 C.F.R. § 1.98(a)(2)) are enclosed.

- ☒ A Return Receipt Postcard is enclosed (MPEP §503).
- ☐ Priority of application number \_\_\_\_\_ filed on \_\_\_\_\_ in \_\_\_\_\_ is claimed under 35 U.S.C. §119.
  - ☐ A certified copy of the priority document is enclosed.
- ☐ A Computer Program Listing Appendix is enclosed.
  - ☐ A Transmittal Cover Letter for Computer Program Listing Appendix is enclosed.
  - ☐ Two (2) Compact Discs are enclosed.
- ☐ A Nucleotide and/or Amino Acid Sequence Submission is enclosed.
  - ☐ A Computer Readable Copy is enclosed.
  - ☐ A Paper Copy (Identical to Computer Copy) is enclosed.
  - ☐ A Statement Verifying Identity of above Copies is enclosed.
- ☒ The filing fee is calculated below:

Fee Calculation For Claims As Filed

Basic Fee									\$	770.00
Independent Claims	5	-	3	=	2	x	\$ 86.00	=	\$	172.00
Total Claims	20	-	20	=	0	x	\$ 18.00	=	\$	0.00
Fee for Multiply Dependent Claims							\$ 290.00			
							Total Filing Fee		\$	942.00

- ☐ Applicant(s) assert entitlement to Small Entity Status (37 C.F.R. § 1.27), reducing the Filing Fee by half to: \_\_\_\_\_ \$
- ☐ A check in the amount of \$\_\_\_\_\_ to cover the filing fee is enclosed.
- ☒ Charge \$ 942.00 to Deposit Account No. 06-1135.
- ☐ The payment of the Filing Fee is to be deferred until the Declaration is filed. Do not charge our Deposit Account.
- ☒ A separate written request under 37 C.F.R. §1.136(a)(3), which is a general authorization to treat any concurrent or future reply requiring a petition for an extension of time under 37 C.F.R. §1.136(a) for its timely submission as incorporating a petition for an extension of time for the appropriate length of time, is enclosed.

- ☒ The Director is hereby authorized to charge any additional fees which may be required in this application under 37 C.F.R. §§1.16-1.17 during its entire pendency, or credit any overpayment, to Deposit Account No. 06-1135. Should no proper payment be enclosed herewith, the Director is authorized to charge the unpaid amount to Deposit Account No. 06-1135. This sheet is filed in triplicate.
- ☐ Also enclosed:
- ☒ Address all future communications to CUSTOMER NUMBER 22242.

12/30/03  
Date

Kenneth H. Samples  
Kenneth H. Samples  
Registration No. 25,747

FITCH, EVEN, TABIN & FLANNERY  
120 South LaSalle Street, Suite 1600  
Chicago, Illinois 60603-3406  
Telephone: (312) 577-7000  
Facsimile: (312) 577-7007

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

First Named Inventor:	Wojciak Jr.	)	<b><u>CERTIFICATE OF MAILING BY "EXPRESS MAIL"</u></b>
Filed:	Herewith	)	"Express Mail" Mailing Label Number
Title:	System and Method of Actuating a Moveable Barrier Operator	)	<u>EL 061-662-988-H83</u>
		)	<b>DEC 30 2003</b>
		)	Date of Deposit _____
		)	I hereby certify that this paper or fee is being deposited with sufficient postage utilizing the United States Postal Service "Express Mail Post Office to Addressee" Service under 37 CFR §1.10 on the date indicated above and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.
Attorney Docket No.:	79075	)	<u>Attn: J. Steve LeRocco</u>
Customer No.:	22242	)	(Typed or printed name of person mailing)
		)	<u>Attn: J. LeRocco</u>
		)	(Signature of person mailing)

**GENERAL AUTHORIZATION FOR PETITION FOR  
EXTENSION OF TIME UNDER 37 C.F.R. §1.136(a)(3)**

Mail Stop PATENT APPLICATION  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
Sir:

Applicant(s) hereby request under 37 C.F.R. §1.136(a)(3) by this general authorization that any concurrent or future reply submitted by Applicant(s) to the United States Patent and Trademark Office for the above-identified patent application requiring a petition for an extension of time under §1.136(a) for its timely submission be treated as incorporating therein a petition for an extension of time for the appropriate length of time.

If Applicant(s) do not timely pay for any extension fee(s) pursuant to 37 C.F.R. §1.136(a) which may become due for this application under 37 C.F.R. §1.17 by check, the Director is hereby authorized to charge such fee(s), and any additional fees which may be required in this application under 37 C.F.R. §§1.16-1.17 during its entire pendency, or credit any overpayment, to Deposit Account No. 06-1135.

12/30/03  
Date

Kenneth H. Samples  
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Registration No. 25,747

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